

# FERPA AND DIRECTORY INFORMATION

Students' rights under the Family Educational Rights and Privacy Act (FERPA) begin admission to Blackhawk Technical College, regardless of age. FERPA protects the privacy of students' education records and provides students the right to review those education records.

## Annual Notification

Students will be notified of their FERPA rights annually by email, by publication in the Student Handbook, and by including it on the Blackhawk website.

## Rights Under FERPA

FERPA affords students:

The right to inspect and review their education records within 45 days of the day the College receives a request for access. Written requests are to be submitted to the Registrar. The request needs to identify the record(s) the student wishes to inspect. The Registrar will make arrangement for access and notify the student of the time and place where the records may be inspected. At the time of viewing, the student will present some form of picture identification, such as a valid driver's license, before being allowed to view the records.

The right to request the amendment of the student's education records that the student believes is inaccurate or misleading. Requests for amendments are to be submitted in writing to the Registrar by the student, clearly identifying the part of the record to be changed, and specify why it is inaccurate or misleading. If it is determined to not amend the record as requested, the college will notify the student of the decision and provide information regarding the student's right to a hearing regarding the request for amendment.

The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent (see section on exceptions below).

The right to file a complaint with the U.S. Department of Education concerning alleged failures of the College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

## **Family Policy Compliance Office**

### **U.S. Department of Education**

**400 Maryland Ave., SW**

**Washington, D.C. 20202**

## Definition of Education Records

FERPA defines an education record as any record that is directly related to a student and is maintained by an institution. Education records are comprised of either "Directory Information" or "Non-Directory Information" data elements. FERPA allows for the release of Directory Information without the written consent of the student, unless the students has requested in writing that such information not be shared.

Any data element not included in the list of Directory Information is Non-Directory Information, and cannot be shared without the written consent of the student, unless the release meets the criteria of one of the exceptions outlined in the law.

## Directory Information

Directory Information is defined by each institution. While FERPA allows for the release of Directory Information, it does not require it. Blackhawk designates the following items as Directory Information:

- Student Name
- Student Address and Phone Number
- Student BTC Assigned Email Address
- Date and Place of Birth
- Full-time or Part-time Status
- Major Field of Study
- Dates of Attendance
- Credits Earned Toward a Diploma
- Degrees and Awards Received
- Photos and Videos of Students for use in College Press Releases, Publications, and Websites

## Students' Rights of Non-Disclosure

Students have the right to request non-disclosure of directory information. To request the non-disclosure of directory information, students can fill out a Privacy Request Form, which can be found in the Student Resources, Registration & Records pages on the Blackhawk website ([www.blackhawk.edu](http://www.blackhawk.edu)).

## Students' Rights to Release their Education Records to Third Parties

Students also have the right to allow the release of their non-directory information to others (third parties, such as relatives, employers, etc). To request the release of their data, student can fill out a Release of Student Records Form, which can be found in the Student Resources, Registration & Records pages on the Blackhawk website ([www.blackhawk.edu](http://www.blackhawk.edu)).

## Disclosure of Education Records

Blackhawk College may disclose information from a student's education records only with the written consent of the student unless the disclosure is:

- to school officials who have legitimate educational interests in records, such as:
  - a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including health or medical staff);
  - a person or company with whom the College has contracted (such as an auditor or collection agent);
  - a person serving on the Board of Trustees;
  - a student serving on an official committee, and performing tasks related to his/her work on that committee.
- legitimate educational interests including:

- performing a task that is specified in his/her/their position description or contract agreement;
  - performing a task related to a student's education;
  - performing a task related to the discipline of a student;
  - providing a service or benefit relating to the student such as health care, counseling, job placement or financial aid; or
  - maintaining the safety and security of the campus.
- to officials of another school, upon request, in which the student seeks or intends to enroll.
  - to officials of the U.S. Department of Education and federal, state, or local education authorities in connection with audit or evaluation of state or federally-supported programs.
  - to persons in connection with a student's request for or receipt of financial aid to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
  - to the student.
  - to organizations conducting research studies on behalf of the College.
  - to accrediting organizations to carry out their functions.
  - to parents of a student who is claimed as a dependent for income tax purposes.
  - to comply with a judicial order or lawfully issued subpoena.
  - to appropriate parties in a health or safety emergency.
  - to a victim of an alleged perpetrator of a crime of violence.
  - to appropriate parties in connection with a disciplinary proceeding at an institution of higher education (subject to requirements in 99.39).
  - to parents of a student under the age of 21 concerning the student's violation of any law or policy regarding the use or possession of alcohol or a controlled substance.
  - information the institution has designated as "directory information."

#### **U.S. Military**

According to federal law, the College must release to the U.S. Armed Forces student name, address, phone number, date of birth, and field of study.

#### **Blackhawk Technical College Foundation**

Student names and addresses may be released to the Blackhawk Technical College Foundation for foundation-related activities. The Foundation is considered part of the College and will hold such information confidential, using the information only in specific activities intended to aid and support the College. The release of such information to the Foundation will be made only with the approval of the College President or their designee.

#### **U.S. Patriot Act**

The College must release, without consent or knowledge of the student, personally identifiable information from a student's education record to the Attorney General of the United States or his/her/their designee in connection with the investigation or prosecution of terrorism crimes specified in sections 233b (g)(5)(B) and 2331 of Title 18, U.S. Code.

#### **Written Release**

Personnel employed by the College who have consent in the form of a written release of information, signed by the student, may disclose student information to appropriate outside agencies or persons.

Note: A record of disclosure will be maintained within a student's file indicating when information has been released from that file and to whom. A fee of five dollars may be assessed for the copying of all or a portion of a student record.

#### **Student Identification Number and FERPA**

As of January 1, 2000, Wisconsin Act 128 limits the disclosure and release of student Social Security numbers. In order to comply with Acct 128, Blackhawk assigns a unique identification number to each student. This identification number does not incorporate the student's Social Security number. Blackhawk may collect and report Student Social Security numbers for state and federal reporting requirements. Blackhawk procedures are designed to ensure the student Social Security numbers remain confidential.